

ASSEMBLY BILL

No. 1278

Introduced by Assembly Member Harkey

February 27, 2009

An act to amend Section 9088 of, and to add Section 13281.5 to, the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 1278, as introduced, Harkey. Elections: initiatives.

Existing law requires that ballot labels for state measures voted on at elections contain specified information. Existing law requires the Legislative Analyst to prepare a discussion of the state's current bonded indebtedness for the ballot pamphlet at a statewide general election in which a state bond measure is submitted for voter approval.

This bill would require the Legislative Analyst to include additional information in the ballot pamphlet for an election for each state initiative measure that proposes the issuance of a state bond. The bill also would require that the ballot labels for those state bond measures include additional information relating to the proposed bond.

Because the bill would require local elections officials to provide additional information for state bond measures on election ballots, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 9088 of the Elections Code is amended
2 to read:

3 9088. (a) At each statewide election at which state bond
4 measures will be submitted to the voters for their approval or
5 rejection, the ballot pamphlet for that election shall include a
6 discussion, prepared by the Legislative Analyst, of the state's
7 current bonded indebtedness situation.

8 (b) This discussion shall include information as to the dollar
9 amount of the state's current authorized and outstanding bonded
10 indebtedness, the approximate percentage of the state's General
11 Fund revenues ~~which~~ *that* are required to service this indebtedness,
12 and the expected impact of the issuance of the bonds to be approved
13 at the election on the items specified in this subdivision. ~~In cases~~
14 ~~where~~ *If* a bond measure allocates funds for programs, the
15 discussion shall also include, to the extent practicable, the
16 proportionate share of funds for each major program funded by
17 the measure.

18 (c) The discussion required by this section shall appear on a
19 separate page in the ballot pamphlet immediately following the
20 rebuttal to the argument against the last ballot measure included
21 in the ballot pamphlet.

22 (d) (1) *Each initiative measure that proposes the issuance of*
23 *a state bond shall include within the ballot pamphlet a description,*
24 *prepared by the Legislative Analyst, of the measure containing all*
25 *of the following information that shall be printed in _____ typeface*
26 *and indented from the discussion described in subdivision (a):*

27 (A) *The total amount of the proposed bond indebtedness.*

28 (B) *The total amount of interest that would be paid over the*
29 *term of the proposed bond.*

30 (C) *The total of the amounts in subparagraphs (A) and (B).*

31 (2) *The description prepared by the Legislative Analyst shall*
32 *also inform the voters of the following:*

33 (A) *By approving the measure, they are authorizing the state to*
34 *incur debt.*

1 (B) *Whether tax revenue will be used to repay part or all of the*
2 *proposed bond indebtedness.*

3 (C) *Repayment of the proposed bond indebtedness may take*
4 *priority over funding provided to local government or provided*
5 *for public safety services and other services voters expect to be*
6 *provided by the state.*

7 SEC. 2. Section 13281.5 is added to the Elections Code, to
8 read:

9 13281.5. (a) If a state initiative measure on the ballot proposes
10 the issuance of a state bond, the ballot label for the measure shall
11 contain the following information prepared by the Legislative
12 Analyst, printed in ____ typeface and indented from other material
13 printed on the ballot label:

14 (1) The total amount of the proposed bond indebtedness.

15 (2) The total amount of interest that would be paid over the term
16 of the proposed bond.

17 (3) The total of the amounts in paragraphs (1) and (2).

18 (b) In addition to the information required by subdivision (a),
19 the ballot shall include an analysis, prepared by the Legislative
20 Analyst, of the financial rating category that may be assigned to
21 the proposed bond by a bond underwriter.

22 SEC. 3. If the Commission on State Mandates determines that
23 this act contains costs mandated by the state, reimbursement to
24 local agencies and school districts for those costs shall be made
25 pursuant to Part 7 (commencing with Section 17500) of Division
26 4 of Title 2 of the Government Code.